



A Newsletter of the
Barber and Cosmetology Examining Board

July 2010

The Barber and Cosmetology Examining Board (BAC) consist of the following members.

Janice Boeck, Secretary (Racine)
Jeannie Bush, Chair (La Crosse)
Rodney Gottfredsen (Beloit)
Susan Kolve-Feehan (La Crosse)
Jeffery Patterson, Vice-Chair (Madison)
Cheryl Ann Pearse (La Crosse)
Tina Rettler-Pagel (Madison)
Laura Ruiz (Milwaukee)
Howard Twait (Wisconsin Rapids)

The dates and times of Board meetings are announced on the DRL website at www.drl.wi.gov

Administrative Staff:

John Lease, Division Administrator
Angela Arrington, Bureau Director
Yolanda McGowan, Legal Counsel
Michelle Solem, Bureau Assistant

Executive Staff

Celia Jackson, Secretary
Barbara Wyatt Sibley, Deputy Secretary
Hector Colon, Executive Assistant

Biographies:

Go to: www.drl.wi.gov

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MESSAGE FROM THE BOARD CHAIR

The dream has come true-the long awaited return of the Digest! The Barbering and Cosmetology Examining Board, along with the Department of Regulation and Licensing, is excited to launch our first electronic Regulatory Digest.

The Digest has a history of holding important information that transpired at the Board meetings, disciplinary actions, contact information, and most importantly, kept licensees informed and connected to the Board and the State. Look for an even better Digest to evolve! Please pass the word to your colleagues that the electronic Digest is now available. Simply send your email address to the Department's email address: DRL@wisconsin.gov.

We have come full circle since the last printed hard copy of the Regulatory Digest in June 2002. Interestingly, that last issue held a survey concerning continuing education. On Feb 2, 2010 the Board signed into Rule the requirement of continuing education for all BAC licensees.

To help kick off the CE requirement, Secretary Jackson and her staff have been working diligently to organize two Summits; the first in Milwaukee Aug 16th and the second in Madison on Oct 18th. Attending either of these will fulfill the BAC licensee's six hours of continuing education needed to renew his/her license March 31, 2011. These promise to be fantastic events! Not only will there be great speakers, but vendors also. In addition, this will be first multi-discipline event where *all* the BAC professions will be able to network.

Issues that are presently before the Board include but are not limited to the following: rule BC 2.025 Delegated Medical Procedures (revision), curriculum for each of the professions, enhancing the safety, sanitation, and infection control, and working outside a licensed establishment. Please give input concerning these topics by attending the Board meetings, or sending your comments to our new Bureau Director Angela Arrington.

Speaking of new positions, our former Bureau Director Yolanda McGowan is now our legal counsel. We welcome the continuity that she will bring to our Board. Yolanda gave 110% as our past Bureau Director and I am sure will give us fabulous insight as our legal counsel.

There will be a number of open positions on the Board this year, my position included. The Board consists of two public members, one aesthetician, one electrologist, a public school representative, a private school representative and three barber-cosmetologists. Please consider nominating someone or yourself! Meetings are held four times per year, generally on the first Monday of the selected month. Applications can be obtained by contacting the Office of Governor. The candidates for Board positions are appointed by the Governor and then confirmed by the State Senate.

Finally, thank you to all the people that have worked so hard to make the Digest come back to life! The public that we serve are very fortunate to have all of us striving to make Wisconsin a great place to live and do business.

Jeannie M. Bush, RDH, RE, CPE
Chair, Barbering and Cosmetology Board

SECRETARY'S MESSAGE

On behalf of the Department of Regulation and Licensing (DRL), I am pleased to contribute to this edition of the Barbering and Cosmetology Examining Board (BAC) Regulatory Digest. I've had the privilege of serving as Secretary for the past five years and in all of my outreach efforts the one issue raised consistently by our licensees, across all professions, is the return of the digest. This is one of the most important ways for us to remain connected. There are constantly new rules, new bills in the legislature and new practices within your profession that you need to be informed about.

In the summer of 2008, DRL staff worked with members of our boards to explore how we could improve customer service to our various constituencies. The Regulatory Digest was one of the top priorities identified to reach out to licensees. With the challenges in the state budget and the economic downturn, we have concluded that the most prudent way for us to be in communication is by distributing the digest electronically. The costs of hard copies and mailing put a tremendous strain on our resources resulting in the digest being one of the services that was cut. We hope that you will keep us updated on your current e-mail address so that you can receive your digest timely.

On April 1, 2010 a new rule took effect requiring continuing education (CE) for all BAC licensees. Everyone who held a license prior to April 1, 2009 will need to get six hours of continuing education to

renew their license. The six hours include two hours on Wisconsin law related to the profession and four hours on health, safety, sanitation and infection control. Unfortunately, there has been a great deal of confusion about the new rule. I would like to highlight a few important facts:

- In an effort to assist with the new rule, DRL made a decision to host two BAC Summits. It was never intended that this was the only way for people to get their continuing education. There simply is not the capacity for DRL to do that.
- We discovered that we needed to more carefully scrutinize the courses and materials that were being offered by various providers. As a result, we removed everyone from our approved provider list and asked that they resubmit their course outline and curriculum to ensure that it meets the necessary hours of instruction and contains the appropriate course content. As the course contents are revised and approved, they will be placed back on our website.
- For all of those who took previously approved courses, completed them and paid a fee, we will recognize your certificates of completion.
- For those who paid, but have not been able to complete a previously approved course and receive your certificate, your provider will have the opportunity to revise their curriculum to be in compliance so that you can complete the course.
- There is no exemption to the continuing education requirement. All of those who are retired who maintain their license in order to purchase products must take the continuing education credits to renew their license.
- For those of you who have had 30 continuous years of practice, you will be required to take the six hours of continuing education.
- This is not a one time requirement. The continuing education will be required for each renewal.

We recognize that this is new for the profession and has created confusion and/or concern for some of you. We apologize for the misunderstandings and

confusion that may have resulted from the release of this new rule. It is challenging to deal with misinformation especially during this highly technical age. We are making every effort to ensure that people get the information they need in order to complete this new requirement.

We will be hosting a third Summit November 8th in Stevens Point. This is in response to the tremendous demand and need to hold an event in the north-central part of the state.

We look forward to keeping you informed as things develop and we thank you for your patience and continued cooperation.

Secretary Celia Jackson

BOARD ORDERS & DISCIPLINES

May 2010

David J. Barnes – Barbering and Cosmetology Practitioner, Kenosha, WI

K-Town Hair Care, L.L.C. – 6058 40th Avenue, Kenosha WI

Cost Cutters (CC) of Wisconsin, Inc. – 6058 40th Avenue, Kenosha, WI

CC Family Hair Care – Barbering or Cosmetology Establishment, 4124 52nd Street, Kenosha, WI

CC Family Hair Care – Barbering or Cosmetology Establishment, 8038 22nd Avenue, Kenosha, WI

CC Family Hair Salon – Barbering or Cosmetology Establishment, 6430 Green Bay Road, Number 106, Kenosha, WI

CC Family Hair Care – Barbering or Cosmetology Establishment, 5131 Douglas Avenue, Racine, WI

CC – Barbering or Cosmetology Establishment, 5630 Washington Avenue, Racine, WI

Supercuts – Barbering or Cosmetology Establishment, 6935 75th Street, Kenosha, WI

Supercuts – Barbering or Cosmetology Establishment, 7410 118th Avenue, Suite D, Kenosha, WI

CC Family Hair Care – Barbering or Cosmetology Establishment, 3049 South Oaks Road, Sturtevant, WI

CC Family Hair Care – Barbering or Cosmetology Establishment, 1901 Milwaukee Avenue, Burlington, WI

CC Family Hair Care – Barbering or Cosmetology Establishment, 6104 Regency West Drive, Racine, WI

The Barbering and Cosmetology Examining Board reprimanded David J. Barnes related to ten barbering or cosmetology establishments that were not in compliance with numerous State statutes and State administrative codes. Barnes owns five of the ten

establishments directly; is the President of CC of Wisconsin, Inc., which owns four of the establishments; and is a member of and registered agent for K-Town Hair Care, L.L.C., which owns one of the establishments. The violations include, but are not limited to, required licenses not being posted, floor coverings not being kept clean, poisonous substances in an unlocked cabinet in a public area, clean contact equipment in contact with hair clipping or personal items, employees not disinfecting their hands between customers, shampoo sinks not being drained after each use, and equipment not being disinfected. The Board has ordered Barnes to pay a forfeiture of \$2,100, jointly and severally with the forfeiture imposed on his employee, Carolyn J. Sutter, by separate order. The Board has also ordered Barnes, CC of Wisconsin, Inc., and K-Town Hair Care L.L.C. to jointly and severally pay costs of \$5,100.

Dated: May 3, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER0000166-00004880.pdf>

Colleen A. Mijal – Barbering and Cosmetology Manager, Barbering and Cosmetology Instructor, Clintonville, WI

The Barbering and Cosmetology Examining Board ordered Colleen A. Mijal to pay a forfeiture of \$500 in two installments of \$250 each. Mijal was working as a chair rental without having the required establishment license.

Dated: May 3, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER000168-00004882.pdf>

Kevin M. Pham – Manicurist, Grafton, WI

Ly Ly Nail and Spa – Manicuring Establishment, Grafton, WI

The Barbering and Cosmetology Examining Board reprimanded Kevin M. Pham and Ly Ly Nail and Spa for violating several Wisconsin Administrative Codes. These violations include, but are not limited to, having an employee practice with an expired manicurist license, having an employee practice without a manicurist license, keeping used/dirty disposable nail files and buffers in work drawers, using liquid nail acrylic that contained methyl methacrylate monomer (poisonous). The Board ordered Pham and Ly Ly Nail and Spa to pay a forfeiture of \$2,350 and costs of \$620.

Dated: May 3, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER000169-00004883.pdf>

Carolyn J. Sutter – Barbering or Cosmetology Manager, Kenosha, WI

The Barbering and Cosmetology Examining Board reprimanded Carolyn J. Sutter for being the licensed manager of ten barbering or cosmetology establishments that were not in compliance with numerous State statutes and State administrative codes. The violations include, but are not limited to, required licenses not being posted, floor coverings not being kept clean, poisonous substances in an unlocked cabinet in a public area, clean contact equipment in contact with hair clipping or personal items, employees not disinfecting their hands between customers, shampoo sinks not being drained after each use, and equipment not being disinfected. The Board has ordered Sutter to pay a forfeiture of \$2,100, jointly and severally with the forfeiture imposed on her employer, David J. Barnes, by separate order.

Dated: May 3, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER000167-00004881.pdf>

June 2010

Elements Salon – Barbering and Cosmetology Establishment, Hayward, WI

Melissa G. Tucek – Barbering and Cosmetology Manager, Cable, WI

David C. Karas – Barbering and Cosmetology Practitioner, Hayward, WI

The Barbering and Cosmetology Examining Board reprimanded Elements Salon, Melissa G. Tucek, and David C. Karas for violating several Wisconsin Administrative Codes. Tucek and Karas are co-owners of Elements Salon. Elements Salon rented chair space to Hanna Brander; Brander did not have the requisite separate establishment and manager's licenses. It was also found that Elements was keeping poisonous substances in an unlocked cabinet in a public area. The Board ordered Elements Salon, Tucek, and Karas to pay costs of \$525 and a forfeiture of \$600. Karas must also pay a separate forfeiture of \$100 for having hair in his workstation drawer, which contained clean contact equipment.

Dated: June 7, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER0000249-00005006.pdf>

Nails World – Manicuring Establishment, Sheboygan, WI

Clarence D. Nguyen – Manicurist, Sheboygan, WI

The Barbering and Cosmetology Examining Board reprimanded Nails World and Clarence D. Nguyen and suspended the manicuring establish license of Nails World and the manicurist license of Nguyen for violating several Wisconsin statutes and administrative codes. The Department found that Nails World was advertising and offering improperly

licensed waxing services, allowing an unlicensed individual to perform manicures, and storing a poisonous substance (air freshener) in an unlocked public restroom. The Board has ordered Nails World and Clarence D. Nguyen to jointly and severally pay costs of \$650 and a forfeiture of \$2,100.

Dated: June 7, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER0000248-00005005.pdf>

Jennifer L. Neas – Barbering and Cosmetology Practitioner, Hayward, WI

The Barbering and Cosmetology Examining Board issued an order of default against Jennifer Neas for failing to pay two citations issued in August 2008. The two citations include failing to properly disinfect a pedicure bowl and failing to keep a poisonous substance (bleach cleaner) in a locked cabinet while in a public area. The Board ordered Neas to pay a forfeiture of \$535.

Dated: June 7, 2010

<http://online.drl.wi.gov/decisions/2010/ORDER0000247-00005004.pdf>

DID YOU KNOW THAT YOU CAN ACCESS MOST INFORMATION ON THE DEPARTMENT OF REGULATION & LICENSING WEB SITE?

Visit the Department's Web site at:

www.drl.wi.gov

Send comments to: Webmaster@drl.state.wi.us

CHANGE OF NAME OR ADDRESS?

Please send changes to the Department. Confirmation of changes is not automatically provided. **WIS. STATS. S. 440.11 ALLOWS FOR A \$50 PENALTY TO BE IMPOSED WHEN CHANGES ARE NOT REPORTED WITHIN 30 DAYS.**

TELEPHONE DIRECTORY

To contact the Department, just dial (608) 266-2112, then follow the instructions for the service you need:

For renewal questions, say 'renewal'

For a new license including exam and education requirements, say 'licensing'

For complaint information, say 'complaint'

For legal questions or interpretations, say 'legal questions'

For exam administration, say 'exam'

For continuing education, say 'education'

For your pin, say 'obtain pin'

For license verifications, say 'verify license'

For the agency staff directory, say 'staff directory'

For all other questions, say 'operator'

VERIFICATIONS

Verifications are now available online at www.drl.wi.gov/. On the Department Web site, please click on "Lookup a License". If you do not use the online system, all requests for verification of licenses/credentials must be submitted in writing. There is no charge for this service. Requests should be sent to the Department address or may be faxed to (608) 261-7083 - ATTENTION: VERIFICATIONS. Requests for endorsements to other states must be made in writing – please include \$10 payable to the Department.